

App. No. 10/729,601

Amdt dated June 20, 2005

Reply to Office action of March 18, 2005

Remarks

Claims 1-5, 7-14, and 16-26 remain in the case. Claims 5 and 15 have been deleted, and claims 25 and 26 are new. Claims 1-2, 4, 8, 11, 12, 14, and 20-22 stand rejected under §102(b) as being anticipated by Henning et al. Claims 1-2, 4-5, 7, 10, 14-16, and 18-20 stand rejected under §102(b) as being anticipated by Sisson. Claims 1-4, 8-9, 14-15, 17, and 20 stand rejected under §102(b) as being anticipated by Parsons et al. Finally, claim 24 stands rejected under §102(b) as being anticipated by Montean. The applicant requests reconsideration in view of the amendments and arguments herein.

Procedural Issues

1. Specification

The Examiner objected to specification because the phrase "may be are" was found in paragraphs 0024 and 0025. The applicant has amended both paragraphs to delete the word "are" in paragraph 24 and "are usually" in paragraph 0025. This should cure the rejection.

2. Claim 13

The Examiner rejected claim 13 under 112, 2nd paragraph. The applicant traverses the rejection to the extent that the claim was unclear. Specifically, an example of the "flange extending from the lower edge of the vertical face" is element 40, and an example of the "end cap" is element 60. The end caps do not extend from the lower edge; rather, claim 11 requires that the end caps extend from the ends or sides of the vertical face. The applicant has nonetheless amended claim 13 in an attempt to have the claim read better, by referring to the upper and lower flanges as the "upper edge" flange and the "lower edge" flange.

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Claims 1-5 and 7-13

Allowable claim 6 has been incorporated into claim 1. As claims 2-5 and 7-13 depend from claim 1, the applicant asserts that all claims 1-5 and 7-13 should now be allowable.

Without opining as to the merits of the rejections of each of the dependent claims 2-5 and 7-13, the applicant asserts that at least claim 9 should have been allowable as written. Claim 9 requires apertures in the vertical face that are "at least partially rolled." Claim 9 was rejected based on Parsons, and the Examiner pointed to column 3, lines 32-34 in his assertion of anticipation. However, column 3, lines 32-34 of Parsons only states that the openings can be "flanged or surrounded by angles." Parsons does not teach or disclose openings that are at least partially rolled.

Claims 14-23.

The limitation of claim 15 has been added to claim 14. Claim 14 now requires a monolithic roof bow with a vertical face having a straight lower edge and a curved upper edge. Claims 14-16 were rejected as being anticipated by Sisson and Parsons. The applicant asserts that claims 14 and the claims depending therefrom are allowable over either Sisson or Parsons.

First, Sisson does not disclose a vertical face with a curved upper edge. At best Sisson discloses a series of line segments that make up the upper edge. Fig. 1 of Sisson is the best view of the top edge of the Sisson device, as Fig. 1 is a side elevational view. As is shown from Fig. 1, the top edge of Sisson includes 5 separate linear portions, rather than any curved portion.

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Parsons does not even disclose a monolithic roof bow. The Examiner points to only a portion of the alleged roof bow and states that the portion is monolithic. But the claims are not directed to a monolithic portion of a roof bow. Claims 14 et al. are directed to a monolithic roof bow. Additionally, as understood, the "flanges" 33 and 37 of Parsons seem to be attached to the rib 30 rather than formed monolithically, so Parsons is not even monolithic with regard to the flanges. "Rib members 30, like the rib members 28, are of channel cross-section preferably formed by attaching angles 33 to a web plate..." (Parsons, Col. 3, ll. 26-28.) "In [order] to stiffen the ends and provide place for attachment of a flexible closure (not shown) the extended angles 37 are attached to the ribs..." (Parsons, col. 3, ll. 61-63.).

As such, neither Parsons nor Sisson anticipated prior claim 15, which is now incorporated into claim 14. Since claim 14 is respectfully asserted to be allowable, the applicant asserts that the claims depending from claim 14 are allowable as well.

Claims 24-26

Claim 24 stands rejected over Montean. The Examiner asserts that element 14 is a "vertical face." However, as understood, although element 14 may have a portion that is oriented vertically, it also has a major portion that is oriented horizontally. Moreover, the portion that the alleged "end cap" extends from is substantially horizontal. Therefore, Montean does not teach or disclose an "end cap extending from the vertical face." If anything, any vertical face portion terminates before the end of the roof bow. Montean shows a portion 30 that extends from a horizontal portion of the roof bow, as clearly evidenced by its downward direction.

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With regard to new claims 25 and 26, the applicant respectfully asserts that no cited reference discloses the tabs and the configuration of the top flange and bottom flange fitting between the respective pairs of tabs.

The applicant respectfully asserts that all claims are allowable, and requests that a timely Notice of Allowance be issued.

Respectfully submitted,



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